

**Amendments to the Drawings:**

Applicant has provided Replacement Drawing Sheets for Figures 1 and 2, as attached to this Amendment. In the Replacement Sheets, Figures 1 and 2 have been labeled as "Prior Art".

### **REMARKS/ARGUMENTS**

In the Office Action, the Examiner has rejected claims 1 and 2 under 35 U.S.C. 103(a) based on Stein in view of Ballet. Applicant respectfully traverses the Examiner's rejections for at least the following reasons. As will be further explained below, Applicant respectfully submits that neither Stein nor Ballet, either alone or in combination, discloses the feature of Applicant's invention of a back check body that has an adhering surface which rises in a central portion thereof in the vertical direction. Thus, in Applicant's claimed invention, the back check body, which extends in a vertical direction, has an adhering surface for adhering an under felt, where the surface rises in a central portion thereof in the vertical direction. In the Office Action, the Examiner argues that Stein discloses this feature at col. 5, lines 1-20. As will be explained below, Applicant respectfully disagrees.

First, in Applicant's claimed invention, the back check body includes an adhering surface that rises in a central portion thereof, which provides an improvement over the prior art. As explained in Applicant's specification, and as can be seen in Figures 1 and 2 of Applicant's application, which illustrate the prior art, a back check body 51 (Figure 2) includes a flat felt adhering surface 51a. See also Applicant's specification at page 4, lines 14-25. This presents problems. In order to provide the leather 53 with a desired curved surface, because the adhering surface 51a of the back check body is flat, the under felt 52 must be shaped with sandpaper or the like after it has been adhered to the back check body 51, causing a corresponding increase in the manufacturing cost. See Applicant's specification at page 5, lines 10-15.

Therefore, according to Applicant's invention, as described in the specification at least at page 6, line 19 to page 7, line 1, and as shown particularly in Figs. 4A and 4B, the adhering surface 31d on the back check body 31 rises in a central portion in the vertical direction. This provides advantages. Since the felt adhering surface 31d rises in the central portion thereof in the vertical direction, the under felt 32, which is adhered to the felt adhering surface

31d, also rises in a conformal manner. Consequently, there is no need for shaping the under felt 32 after it has been adhered to the back check body 31 to give it the desired shape, as is required in the prior art. Thus, Applicant's invention reduces manufacturing complexity. In Applicant's invention, the cushion material 33 of the back check body can be provided with a predetermined curved locking surface by simply adhering the under felt 32 and cushion material 33 to the adhering surface of the back check body, which surface rises in a central portion in the vertical direction. In the prior art, to achieve this shape for the cushion material of the back check body, since the adhering surface of the back check body is flat, the under felt must be shaped after it has been adhered to the back check body, which involves manufacturing complexity.

Applicant respectfully submits that neither Stein nor Ballet discloses a back check body with an adhering surface which rises in a central portion in the vertical direction. Stein discloses a piano action having a hammer and an abstract 14. The hammer integrally has a "back-check" 30 comprising a resilient arm 31 and a head portion 32. The abstract 14 is a straight arm-like member, and has a felt 33 provided thereon. When the hammer falls back, the head portion 32 of the hammer engages the felt 33, whereby the hammer is locked or held by the abstract 14.

In Stein, then, the abstract 14 corresponds to the "back check body" of the present invention for locking a hammer, and the felt 33 corresponds to the "cushion material" of the present invention. However, as shown in Fig. 1 of Stein, the abstract 14 extends straight and its adhering surface for adhering the felt 33 is also straight, and accordingly the felt 33 has a straight locking surface.

Thus, Stein clearly fails to teach or suggest a back check body having an adhering surface which rises in a central portion thereof in the vertical direction. Furthermore, Stein, therefore, cannot disclose a sheet-like cushion material formed with a locking surface in a predetermined curved shape conformal to the adhering surface for locking the hammer, as further recited in claim 1.

Ballet also does not disclose Applicant's claimed back check body having an adhering surface which rises in a central portion thereof in the vertical direction. Ballet discloses that a back check for locking a hammer has a back check body (back check) 19, a felt pad 20 adhered to an adhering surface of the back check body 19, and a leather strip 21 covering the felt pad 20. However, as can be clearly seen in Figure 1 of Ballet, the adhering surface AS (as annotated in the attached Figure 1 of Ballet) of the back check body 19 is straight, and accordingly, the felt pad 20 is straight and the leather strip 21 has a straight locking surface. The adhering surface of Ballet's back check body is no different than what Applicant describes as the state of the prior art in Applicant's specification and as illustrated in Figure 2 of Applicant's application. Thus, Ballet also fails to teach or suggest "a back check body" and "a sheet-like cushion material", as recited in claim 1.

Therefore, even if the combination of Stein with Ballet can be made, the combination still provides no disclosure for Applicant's claimed invention of a back check body that has an adhering surface which rises in a central portion thereof in the vertical direction. Because neither the straight abstract 14 of Stein nor the straight adhering surface AS of Ballet disclose this feature of Applicant's invention, consequently, neither reference can further disclose the additional feature of Applicant's invention where a sheet-like cushion material is formed with a locking surface in a predetermined curved shape conformal to the adhering surface for locking the hammer.

Therefore, Applicant respectfully requests that the Examiner withdraw her rejections of claims 1 and 2 based on Stein and Ballet.

Further in this Amendment, Applicant has provided Replacement Sheets for drawing Figures 1 and 2. Applicant has labeled these Figures as "Prior Art", since they illustrate the prior art as described in Applicant's specification.

Applicant also respectfully requests that the Examiner acknowledge the claim for foreign priority in the next communication from the Examiner. The

priority claim was not acknowledged on the Office Action Summary page of the Office Action.

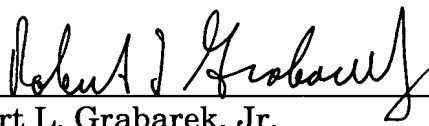
Applicant respectfully submits that the application is now in condition for allowance. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

As discussed above, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response. Please charge any deficiency in fees, or credit any overpayment of fees, to Deposit Account No. 05-1323 (Docket 056272.54929US).

Respectfully submitted,

CROWELL & MORING LLP

Dated: June 26, 2006

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Maria N. Sausedo

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